

December 13, 2010

Chairman Julius Genachowski  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re:   *Ex Parte* Communication  
      *Preserving the Open Internet*, GN Docket No. 09-191  
      *Broadband Industry Practices*, WC Docket No. 07-52**

Dear Chairman Genachowski:

On behalf of the Open Source Wireless Coalition, I write to express our concern regarding your proposal to adopt open Internet rules that accord differential treatment to fixed and mobile networks. Founded in 2007, the Open Source Wireless Coalition is a global partnership of open source wireless integrators, researchers, implementors and companies dedicated to the development of open source, interoperable, low-cost wireless technologies. OSWC member organizations have pioneered open source wireless research and development and are global leaders in the field. In particular, members of the Open Source Wireless Coalition develop various applications to be used in connection with mobile networks.

We are particularly by recent news reports that suggest you may be contemplating the adoption of open Internet rules that fail to provide the same protections for fixed and mobile networks. In particular, we understand that your proposal may track the legislative framework proposed by Rep. Henry Waxman earlier this summer, which we understand would only protect a limited number of applications in the mobile space from arbitrary or indiscriminate blocking by mobile Internet access providers. We are deeply concerned that this rule will fail to protect innovators in the mobile space and that members of our coalition will be extremely hampered if we are forced into a world where we can only innovate with the permission of the largest mobile carriers.

We understand the Commission wants mobile Internet access to emerge as a meaningful competitor to fixed technologies. Our members have been at the forefront in innovating new technologies and networking applications and are committed to bringing wireless platforms and applications to more Americans. But if the Commission wants the public to use these platforms and applications, it must ensure that Americans have access to *one* interconnected and open Internet, not an open fixed Internet and a more closed wireless one.

Very truly yours,

\_\_\_\_\_/s/\_\_\_\_\_  
Sascha Meinrath  
Founder & Coordinator  
Open Source Wireless Coalition

cc: Commissioner Michael J. Copps  
Commissioner Robert M. McDowell  
Commissioner Mignon Clyburn  
Commissioner Meredith Attwell Baker